

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:

Herwon E. Gay,
Dragana Gay,

Debtor(s).

Case No. 10-15406

Chapter 7

Judge Morgenstern-Clarren

**TRUSTEE'S OBJECTION TO APPLICATION TO
PROCEED IN FORMA PAUPERIS**

Now comes the Trustee and Objects to the Debtor(s)' Application to Proceed in Forma Pauperis. The applicable statute is 28 U.S.C. §1930(f)(1) which provides:

(f)(1) Under the procedures prescribed by the Judicial Conference of the United States, the district court or the bankruptcy court may waive the filing fee in a case under chapter 7 of title 11 for an individual if the court determines that such individual has income less than 150 percent of the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981) applicable to a family of the size involved and is unable to pay that fee in installments. For purposes of this paragraph, the term "filing fee" means the filing fee required by subsection (a), or any other fee prescribed by the Judicial Conference under subsections (b) and (c) that is payable to the clerk upon the commencement of a case under chapter 7.

28 U.S.C. §1930(f)(1).

The Meeting of Creditors in this case is set for July 12, 2010. The 150% poverty level for a household of three (3) is \$2,288.75. Per debtors' Schedule I, debtors have a combined monthly income of \$3,622.83. Therefore, the debtor(s) do not meet the requirements for fee waiver under 28 U.S.C. §1930(f)(1).

For the foregoing reasons, the Trustee requests that this objection be sustained and the debtors be ordered to pay the filing fee.

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CERTIFICATE OF SERVICE

A copy of the foregoing Objection was served electronically on the U.S. Trustee and by regular mail on the following on this 17th day of June, 2010.

Herwon Errik Gay
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Pamela I. Theodotou, Esq.
Electronically Served

/s/ Lauren A. Helbling